


ROHM AND HAAS COMPANY FACSIMILE COVER SHEET		
TO:	Examiner Edward J. Cain	FAX: 703-872-9306
FROM:	Chipo Jolibois	FAX: 215-592-2689 PHONE: 215-619-5992
DATE:	August 24, 2004	RECEIVED CENTRAL FAX CENTER
NUMBER OF PAGES (Including This Cover Sheet):		AUG 24 2004

RE: Patent Application No. 09/785,376

OFFICIAL

Attached, please find a response for the above-mentioned patent application.

Regards,



Chipo M. Jolibois

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Attorney Docket No: DN A01169

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Edwin Hugh Nungesser

Serial No.: 09/785,376

Group Art Unit: 1714

Filed: February 16, 2001

Examiner: Edward J. Cain

For: STABLE MIXTURES CONTAINING OPCACIFYING PIGMENTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF FACSIMILE

Sir:

I hereby certify that the following correspondence is being sent by facsimile to the Assistant Commissioner of Patents, Washington, D.C. 20231 on the date indicated next to my signature below:

- (1) Response to Office Action Mailed June 1, 2004
- (2) Terminal Disclaimer

August 24, 2004
Date

Chip M. Jolibois
Chip M. Jolibois

Attorney Docket No: DN A01169

Patent

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For: **STABLE MIXTURES CONTAINING OPCACIFYING PIGMENTS**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**RESPONSE UNDER 37 C.F.R. § 1.111**

This is a response to the Official Action mailed on June 1, 2004. Applicants respectfully request the Examiner to reconsider the pending claims in view of the response, and pass the claims to allowance.

Nonstatutory Double Patenting Rejection over U.S. Patent No. 6,531,537

The Examiner rejected pending claims 1-20 of this Application, over claims 1-50 of U.S. Patent No. 6,531,537, under the doctrine of obviousness-type double patenting. Applicants have filed a terminal disclaimer in compliance with 37 C.F.R. §1.321(c). Applicants have filed the terminal disclaimer solely for the purpose of expediting prosecution. The terminal disclaimer is not an admission by Applicants that claims 1-20, of this Application are obvious over claims 1-50 of U.S. Patent No. 6,531,537.


Conclusion

In view of the foregoing, Applicants respectfully submit that we believe that the case is in condition for allowance, and request the Examiner to pass the case to allowance.

Please direct all further correspondence to the undersigned, as attorney of record.

Respectfully submitted,

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Date: August 24, 2004


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